



# BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

## AGENDA

**Monday, November 03, 2008**

*Commissioner Deidre Malone, Chairman  
Commissioner Joyce Avery, Chairman Pro Tempore  
Commissioner Henri E. Brooks  
Commissioner Wyatt Bunker  
Commissioner Mike Carpenter  
Commissioner Sidney Chism  
Commissioner George Flinn*

*Commissioner Joe Ford  
Commissioner J.W. Gibson II  
Commissioner James Harvey  
Commissioner David Lillard  
Commissioner Steve Mulroy  
Commissioner Mike Ritz*

10/31/2008 7:45 AM

**1:30 PM**

**COMMISSION CONVENES**

**CALL TO ORDER**

**Chairman Deidre Malone**

**OPENING OF THE COMMISSION**

**Deputy Sheriff**

**INVOCATION**

**Pastor Milton Hawkins  
Temple Of Deliverance Church of God  
in Christ**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**Approval of Minutes of Previous Session  
September 8, 2008**

**CONSENT AGENDA**

### Resolutions of Memorial, Sympathy and Commendation

1. [Resolution congratulating the Honorable Ann Lucas Pugh, Judge, General Sessions Court, Division VII, upon the thirtieth anniversary of being seated on the bench and commending her for her dedicated service to the citizens of Shelby County sponsored by Commissioner David Lillard](#)

### Ordinances

**RITZ**  
Chairman, Land Use  
Committee

2. [ORDINANCE - FIRST READING - A Joint Ordinance amending the Memphis and Shelby County Zoning Ordinance-Regulations adopted by the Shelby County Board of Commissioners on October 6, 1980, and by the Council of the City of Memphis on October 7, 1980, being Resolution and Ordinance No. 3064, as amended, so as to make certain changes therein as follows: Amend Appendix A, Zoning, Section 2 to add new definitions for financial services, title loan establishment and payday loan establishment. Amend Chart 1 by adding new use categories and use standards for pay day loan and title loan establishments. ZTA No. 08-001CC. Sponsored by Commissioner Carpenter.](#)

**FORD**  
Chairman, General  
Government  
Committee

3. [ORDINANCE- SECOND READING - An Ordinance to Adopt Supplement No. 34 to the Code of Shelby County, Tennessee. Sponsored by Commissioner Joe Ford.](#)

**FORD**  
Chairman, General  
Government  
Committee

4. [ORDINANCE - SECOND READING - An Ordinance to Adopt Supplement No. 35 to the Code of Shelby County, Tennessee. Sponsored by Commissioner Joe Ford.](#)

### Zoning and Subdivisions

### Reports and/or Resolutions for Standing Committees

**GIBSON**

Chairman, Budget and  
Finance Committee

5. A Resolution approving an amendment to the existing maintenance service agreement between AT&T Global Services, Inc. and Shelby County Government in the amount of \$17,848.32 annually for the purpose of providing ongoing maintenance of Telecom Equipment and Voicemail Systems serving the Shelby County Juvenile Court. This requires expenditure of county general funds in the amount of \$7,436.80 for the period 9/15/08 to 2/15/09, and \$17,848.32 in fiscal 09-10 and 10-11. Resolution sponsored by Commissioner Joe Ford.

**BUNKER**

Chairman, Public  
Works Committee

6. Resolution approving a lease agreement with T E Products Pipeline Company, LLC, ("TEPPCO"), as approved by the Board of Commissioners of the Memphis and Shelby County Port Commission on June 24, 2008. Sponsored by Commissioner Wyatt Bunker.

**BUNKER**

Chairman, Public  
Works Committee

7. Resolution approving a lease agreement with Valero MKS Logistics L.L.C. ("Valero"), as approved by the Board of Commissioners of the Memphis and Shelby County Port Commission on July 24, 2008. Sponsored by Commissioner Wyatt Bunker.

**CHISM**

Chairman, Law  
Enforcement  
Committee

8. A resolution amending the 2008/2009 operating budget in the amount of \$44,175 carried forward from 2007/2008 fiscal year for Drug and Alcohol Treatment and this item requires the expenditure of Tennessee Department of Mental Health grant pass through funds in the amount of \$44,175. Sponsored by Commissioner Sidney Chism. (AMENDED IN COMMITTEE 10/29/08)

**CHISM**

Chairman, Law  
Enforcement  
Committee

9. A resolution approving a contract in the amount of \$727,000.00 with the Military Department of Tennessee and the Tennessee Emergency Management Agency, to fund costs related to Public Safety Interoperable Communications (PSIC) grant associated with implementing the statewide communication interoperability plan (SCIP). This project will provide backup portable radio tower capability and cache of radios to support the communications needs of public safety responders during an emergency and this item requires the expenditure of pass through grant funds under the U.S. Department of Homeland Security Grant Programs in the amount of \$727,000.00 and amending the FY 2008-2009 operating budget. Sponsored by Commissioner Sidney Chism.

**CHISM**

Chairman, Law  
Enforcement  
Committee

10. Resolution approving the acceptance of the Disproportionate Minority Contact Grant from the Tennessee Commission on Children and Youth. The grant has been approved for the Shelby County District Attorney General's Office for the period October 1, 2008 - September 30, 2009, in the amount of \$65,000 and for the purpose of the District Attorney's Mentoring-Based Truancy Reduction Program. This item requires expenditure of federal thru state grant funds in the amount of \$65,000. Sponsored by Commissioner Sidney Chism.

**FLINN**

Chairman, Delinquent  
Tax Property  
Committee

11. Resolution approving the sale of seven (7) County owned Delinquent Tax Parcels, acquired from Shelby County Trustee Tax Sale Nos. 0102, 0201, 0305, 0306 And 0402, to identified purchasers at various prices collectively totaling \$35,700.00, pursuant to the sale provisions of T.C.A. §67-5-2507. Sponsored by Commissioner George S. Flinn, Jr.

***REGULAR AGENDA*****Elections, Appointments, and Confirmations**

**FORD**

Chairman, General  
Government  
Committee

12. [Resolution approving the nomination by the Director of the Division of Corrections of Gloria Reddick, Audrey Coleman, and Benita Monix for reappointment, and of Carol Gregory, Tommietta Franklin, and Jacqueline Powell for appointment, to the Division of Corrections' Disciplinary Review Board. Sponsored by Commissioner Sidney Chism.](#)

**FORD**

Chairman, General  
Government  
Committee

13. [Resolution approving the appointment of two employee members to the Unified Personnel Policy Committee \(UPPC\). Sponsored by Commissioner Joe Ford.](#)

**Ordinances****Zoning and Subdivisions****Reports and/or Resolutions for Standing Committees****BUNKER**

Chairman, Public  
Works Committee

14. [Resolution approving the sale of 10.7 acres, more or less, of improved real property, known as the Shelby Training Center, located at 3420 Old Getwell Road to Corrections Corporation of America for \\$150,000.00. Sponsored By Commissioner Wyatt Bunker. \(DEFERRED TO 11/17/08\)](#)

**CHISM**

Chairman, Law  
Enforcement  
Committee

15. [Resolution requesting the Administration to review and report back to the County Commission on the feasibility of Shelby County agreeing to back 911 Revenue Bonds for the construction of a new centralized 911 facility. Sponsored by Commissioner Wyatt Bunker. \(AMENDED IN COMMITTEE 10/29/08\)](#)

**HARVEY**

Chairman, Economic  
Development  
Committee

16. [Resolution to rescind prior approval at 25% of Ad Valorem taxes and approve a new agreement to recoup the cost of providing improvements, facilities and service to Shield, Inc., a Tennessee not-for-profit corporation, as required by applicable tax exemption statute, Tenn. Code Ann. §67-5-207, et seq., at an amount of \\$5 per unit per month. Sponsored by Commissioner James M. Harvey.](#)

**FORD**

Chairman, General  
Government  
Committee

17. [Resolution to amend a resolution adopting the Shelby County Compensation Policy for fiscal year 2008/2009, adopted as Item No. 32 on July 21, 2008, specifically to incorporate the resolution to establish a hiring freeze until June 30, 2009, eliminate reclassifications for the same period, remove all positions vacant for 90 days or longer as of May 31, 2008, from the fiscal year 2009 department budgets and to provide a process to allow for necessary exceptions, adopted as Item No. 40 on June 2, 2008. Sponsored by Commissioner Joe Ford.](#)

**Announcements/Statements**

18. Notification from County Mayor of appointments/reappointments to various Boards, Commissions, and offices of Shelby County Government. a) Resolution approving the County Mayor's nomination of Daniel P. Dow for appointment and Lynda W. Raiford for reappointment to the Memphis and Shelby County Board of Adjustment. Sponsored by Commissioner Joe Ford. b) Resolution approving the County Mayor's nomination of Jason Fair and Lee A. Jackson for reappointment to the Memphis and Shelby County Convention Center Commission. This resolution is sponsored by Commissioner Joe Ford. c) Resolution approving the County Mayor's nomination of Mauricio Clavo, Doug Imig, Eva Mosby, Heather Stephens, and Lois Williams for appointment and Michelle Sanders for reappointment to the Shelby County Head Start Policy Council Community Advisory Board. Sponsored by Commissioner Joe Ford. d) Resolution approving the County Mayor's nomination of Molly Glover for appointment to the Shelby County Ethics Commission. Sponsored by Commissioner Joe Ford.

**Adjournment**

19. Resolution of adjournment to Monday, November 17, 2008 at 1:30 p.m.